

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2018/2019

BIR2884 – INDUSTRIAL RELATIONS
(Distance Education)

28 May 2019
9.00 a.m. – 11.00 a.m.
(2 hours)

INSTRUCTIONS TO STUDENT:

1. This Question paper consists of two (2) printed pages including the cover page.
2. Answer **ALL FOUR (4)** questions.
3. Please write all your answers in the Answer Booklet provided.
4. You must support your answer with case law and statutory provisions, where necessary.

QUESTION 1

- (a) Why is collective bargaining important for workers? (10 marks)
- (b) Discuss some of the responses an Employer may make to a claim of recognition by a trade union. (15 marks)
- TOTAL: 25 MARKS**

QUESTION 2

In the case of *Ketua Pengarah Kastam v. Ho Kwan Seng* (1977) 2 MLJ 152, Raja Azlan Shah FJ stated that: -

".....The rule of natural justice that no man maybe condemned unheard should apply to every case where the individual is adversely affected by an administrative action, no matter whether it is labelled "judicial". "quasi-judicial" or "administrative", or whether the enabling statute makes provision for a hearing....."

Discuss the above statement with reference to the principles, their values and the approach of the Courts in dealing with these issues.

(25 marks)

QUESTION 3

Roti Sekaya Sdn. Bhd. (RSSB) is a bakery producing breads, cakes and cookies. 200 employees are employed in the factory and they have decided to form a trade union. You are requested to advise the employees on the objects of the formation of a trade union. In your advice, you must also include the procedure for starting and registering the proposed trade union.

(25 marks)

QUESTION 4

Write short notes on the following: -

- (a) Collective Agreement (10 marks)
- (b) *Wong Chee Hong vs Cathay Organisation* (1988) 1 CLJ 45 (15 marks)
- TOTAL: 25 MARKS**

TOTAL: 100 Marks

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